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 / Ruth Montalvo

Date: February 18, 2003

24 / Request
Recons.
3-27-02
L. Spruell

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JG-NG-4893/500633.20017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Yusuke Nakazawa, et al.

Group Art Unit: 2854

Serial No.: 09/396,238

Examiner: S. Funk

Filing Date: September 15, 1999

Customer No.: 0264

For: METHOD OF LITHOGRAPHIC PRINTING

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE

Sir:

This is in response to the Office Action mailed September 18, 2002.

Reconsideration and withdrawal of the rejection of claims 1, 2, and 5-7 as being unpatentable under 35 U.S.C. §103(a) over Kato et al. (JP '355) in view of Ishii et al. (JP '039) and Love (US'340) are requested. The Examiner continues to assert that Kato et al. teaches the method recited in the present claims with the "possible" exception of the hydrophilic layer and imaging of the printing plate in press. Indeed, Kato et al. contains absolutely no disclosure with respect to either of these steps and moreover, contains nothing to suggest that such steps should or could be included in the procedure disclosed therein. Indeed in fact, Kato et al.

is directed solely to an oil-based ink composition for an ink jet recording system. The disclosure with respect to methods of lithographic printing in Kato et al. are solely directed to the ink composition invention disclosed therein. Consequently, at best, Kato et al. discloses very general procedures for use of the actual invention disclosed therein, namely, the oil based ink composition.

This fact makes it clear that Kato et al. is at best, only a very general teaching of a lithographic procedure and consequently is not relevant to the very specific method which is recited in the present claims.

Of particular importance is the fact that Kato et al. does not disclose the imaging of a printing plate in press. In particular, as can be seen in Figure 1 of the reference, the preparation of the offset printing plate based on the information of the image to be formed is achieved by spraying droplets of ink on the head 10 of the ink-jet recording device 1 onto the master 2 to prepare the printing-plate master in which the image has been formed. Subsequently, the desensitizing treatment is carried out to prepare the printing plate. As described in the reference, in the offset printing method using this obtained printing plate, the printing of about 10,000 sheets can be performed.

In Examples 1-15 (paragraphs "0097" to "0137") of Kato et al. '355, the preparation of a printing plate and a printing are described. However, the description in paragraph "0101" of this reference shows that the printing is carried out using the printing plate obtained by the whole automatic printing press (AM '2850). It is clear that the preparation of the printing plate and the printing are mutually exclusive procedures taught in this reference and carried out using a separate printing press.

Kato et al. '355 does not disclose the claimed method for lithographic printing wherein an image is formed on a printing plate precursor which is mounted onto a plate

cylinder of a printing press in an ink jet system wherein an oil based ink that is an oil-based ink is ejected utilizing an electrostatic field to form an image and then preparing the printing plate and carrying out the printing with the printing press using the thus obtained printing plate as it is. This constitutes a significant difference from the specific teaching of Kato et al. '355.

The secondary references relied on by the Examiner offer nothing to remedy this important defect of Kato et al. Thus, while the Examiner asserts that Love '340 teaches the desirability of imaging of a printing plate in press referring to columns 2 and 3 and the paragraph bridging columns 11 and 12 as well as column 21, lines 13-37, it is clear that there is nothing in this disclosure which would motivate one skilled in the art to deviate from the procedure specifically disclosed in Kato et al. Moreover, Love '340 relates to stencil printing press which is entirely different from the procedure used in the present claim. In stencil printing, the mesh is used as a plate cylinder and a printing plate is formed by plugging the pores i.e., the holes of the mesh. Because of plugging of the pores, the image quality obtained can be very poor.

In contrast to this, in lithographic printing, the printing plate is formed by utilizing the hydrophobic image on the hydrophilic printing plate. This allows for providing high image qualities in lithographic printing as a printing plate has a higher image quality due to the image forming means. The basic conventional technique using stencil printing as disclosed in Love is expensive and generally does not provide the kind of image quality achieved with the present invention. It is a completely different procedure from the oil-press lithographic printing procedure recited in the present claims. One reviewing the Love reference, and in particular the stencil printing method disclosed therein would find no reason to substitute an on-press method into the procedure of Kato et al.

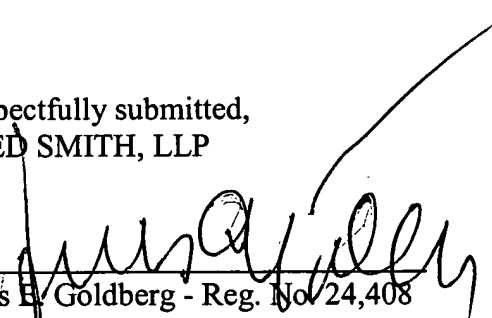
The Examiner's reliance on Ishii et al. is also not properly taken. The Examiner relies on Ishii et al. as teaching the conventionality of either providing a hydrophilic layer or, if necessary, sensitizing the image receiving layer to impart greater hydrophilicity. However, there is simply nothing in Ishii et al. which relates to Kato et al. or which would lead one skilled in the art to utilize the step of desensitizing the image receiving layer to impart greater hydrophilicity. In essence, these secondary references lack any disclosure which would motivate one skilled in this art to combine the specific bits and pieces which the Examiner has selected from each of these references and use them to modify the specific method disclosed in Kato et al. Without such motivating disclosure, there is simply no reason for the skilled artist to make the combination attempted by the Examiner. Indeed, the only disclosure which provides such motivation is that of the present application and, of course, it is not available as a reference against the present claims. The rejection on this combination of references is improper and should be withdrawn.

With respect to the remaining rejections raised by the Examiner, in each case they rely on the combination of Kato et al. taken with Ishii et al. and Love as applied to claims 1, 2, and 5-7. For the reasons advanced above, none of these rejections can be applicable to these claims in as much as these additional claims all contained the recitations of claim 1. The additional secondary references relayed on by the Examiner, e.g., Masaaki (JP '373) with respect to claim 4, Arway '712 in connection with rejection of claims 8-14, Ikkatai '132 in connection with rejection of claim 15, Gasparrini '015 in connection with rejection of claim 16, and Miura et al '782, with respect to claims 12 and 17, must also fail. These references contain no information which would motivate the skilled artist to combine the disclosures of Kato et al., Love and Ishii et al. for the reasons set forth above. These rejections are also improper and should be withdrawn.

In view of the foregoing. It is submitted that this application is now in condition for allowance and favorable reconsideration and prompt notice of allowance are honestly solicited.

Respectfully submitted,
REED SMITH, LLP

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